



Attorney Docket No. 083847-0231
10/725,939

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hua ZHANG et al.
Title: FABRICATION OF SOLID-STATE
NANOSTRUCTURES INCLUDING SUB-50 NM
SOLID-STATE NANOSTRUCTURES BASED ON
NANOLITHOGRAPHY AND CHEMICAL ETCHING
Appl. No.: 10/725,939
Filing Date: 12/03/2003
Examiner: Unassigned
Art Unit: 1762

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR
AMINO ACID SEQUENCE DISCLOSURES**

Mail Stop Box Sequence
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements mailed on April 27, 2004, enclosed are copies of the Sequence Listing and Statement to Support Filing and Submission in accordance with 37 C.F.R. §§ 1.821-1.825. Also enclosed is a diskette containing the Sequence Listing in computer readable form and an Amendment directing entry of the sequence listing into the application.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date August 27, 2004

FOLEY & LARDNER
Customer Number: 22428
Telephone: (202) 672-5407
Facsimile: (202) 672-5399

By J. Steven Rutt

J. Steven Rutt
Attorney for Applicants
Registration No. 40,153



Atty. Dkt. No. 083847-0231

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hua Zhang et al.
Title: Fabrication of Solid-State Nanostructures Including Sub-50 NM Solid-State Nanostructures Based on Nanolithography and Chemical Etching
Appl. No.: 10/725,939
Filing Date: 12/3/2003
Examiner: Unassigned
Art Unit: 1762

**TRANSMITTAL OF MISSING PARTS
OF PATENT APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed April 27, 2004, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

[X] Declaration and Power of Attorney (15 pages)

Any attached specification is a copy of the specification and any amendments thereto which were filed in the U.S. Patent and Trademark Office in order to obtain a filing date for the application.

[X] Return Copy of Notice to File Missing Parts

[X] Information Disclosure Statement (2 pgs.); SB08 (5 pgs.) along with 87 copies of references cited therein;

[X] Response to Notice to Comply with Sequence Rules; amendment in response to notice to comply; sequence listing (paper and disk); and statement that both disk and paper are identical.

[X] Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

08/30/2004 JBALINAH 00000040 10725939

05 FC:1252

420.00 OP

- ☐ Extension for response filed within the first month
☒ Extension for response filed within the second month
☐ Extension for response filed within the third month
☐ Extension for response filed within the fourth month
☐ Extension for response filed within the fifth month

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$770.00	\$770.00
Total Claims:	75	- 20	= 55	x \$18.00	= \$990.00
Independents	6	- 3	= 3	x \$86.00	= \$258.00
If any Multiple Dependent Claim(s) present:				+ \$290.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee				+ \$130.00	= \$130.00
				SUBTOTAL:	= \$2,148.00
[X] Extension fee for response filed within the second month:					= \$420.00
				TOTAL FILING FEE:	= \$2,568.00
				TOTAL FEE	= \$2,568.00
Difference to pay:				- \$0.00	- \$2,568.00

[X] Check in the amount of \$2,568.00 in payment of
surcharge fee (37 C.F.R. § 1.16(e))

[] Please charge Deposit Account No. 19-0741 in the amount
of \$0.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date August 27, 2004
 FOLEY & LARDNER LLP
 Customer Number: 22428
 Telephone: (202) 672-5300
 Facsimile: (202) 672-5399

By J. Steven Rutt
 J. Steven Rutt
 Attorney for Applicants
 Registration No. 40,153



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/725,939	12/03/2003	Hua Zhang	083847-0231

22428
FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

CONFIRMATION NO. 4466

FORMALITIES LETTER



OC000000012455282

Date Mailed: 04/27/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

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01 FC:1001	770.00 OP
02 FC:1201	258.00 OP
03 FC:1202	990.00 OP
04 FC:1051	130.00 OP

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1248 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

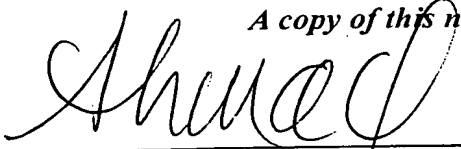
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$2148 for a Large Entity

- \$770 Statutory basic filing fee.
 - \$130 Late oath or declaration Surcharge.
-
- Total additional claim fee(s) for this application is \$1248
 - \$258 for 3 independent claims over 3.
 - \$990 for 55 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY